

DURHAM CITY COUNCIL WORK SESSION
Thursday, April 23, 2015 @ 1:00 P.M.
2nd Floor Committee Room – 101 City Hall Plaza

Present: Mayor William V. “Bill” Bell, Mayor Pro Tempore Cora Cole-McFadden and Council Members Diane Catotti, Eddie Davis, Don Moffitt and Steve Schewel. Excused Absence: Council Member Eugene Brown.

Also in Attendance: City Manager Thomas J. Bonfield, City Attorney Patrick Baker and City Clerk D. Ann Gray.

Mayor Bell called the meeting to order welcoming all in attendance; and recognized the City Manager, City Attorney and City Clerk for priority items.

City Manager Bonfield referenced the following items:

- Item#9 – Bid for Annual Truck Purchase (requested item be referred back to administration)
- Item #10 – Acceptance of Donation of a Sculpture from Liberty Arts (a brief presentation has been scheduled)

Also, City Manager Bonfield stated in the near future at an upcoming work session, the administration would be providing a presentation on tree cutting by Duke Energy.

The City Manager’s items were accepted by the Council.

There were no priority items from the City Attorney and City Clerk.

The Council suggested that a special meeting be scheduled in the near future to discuss the recent U. S. Department of Justice Report.

After Mayor Bell announced the items on the agenda, the following items were pulled for presentation and/or further discussion:

**SUBJECT: ACCEPTANCE OF THE DONATION OF A SCULPTURE FROM
LIBERTY ARTS, INC.**

The Office of Economic and Workforce Development recommended that the City Council accept a donation by Liberty Arts, Inc. of a sculpture for installation on the Durham Convention Center Plaza.

Jackie McCloud, representing Liberty Arts, made a brief presentation about the sculpture design being donated. In March 2015 a donor offered Liberty Arts the funds to purchase a second piece from the Bull Durham Sculpture Show, to be donated to the City with the request that the

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piece remain in its current, temporary, location. Liberty Arts has offered the piece to the City. The work is entitled “The Pursuit of Happiness” and was created by artist Charlie Brouwer.

The City Council thanked Liberty Arts for the donation.

SUBJECT: U-71 EAST END CONNECTOR CONSTRUCTION

The staff report indicated that the North Carolina Department of Transportation had awarded a contract to Dragados USA, Inc. to construct the East End Connector, a new freeway connection between N. C. 147 and US 70 on the east side of Durham.

The Department of Transportation recommended that the City Council receive a presentation from NCDOT on the construction of the East End Connector.

Michelle Gaddy, of NCDOT, made a Powerpoint presentation as outlined below:

- East End Connector will provide a direct connection for interstate traffic from I-85 to I-40
- US 70 will become controlled access between Holloway Street and Pleasant Drive
- NC 147 Concrete Pavement Improvements
- Improvements to Holloway Street, including widening and improvements to interchange
- Many other “Y-lines” including Muldee Street, Hoover Road, Carr Road, Lynn Road, Pleasant Road, East End Avenue, Rowena Avenue, Angier Avenue, Ellis Road and others
- Map of U-0071 Roundabouts was shown
- Date of Availability for Contractor to begin work – February 1, 2015
- Completion Date – January 10, 2020
- All work except reforestation – July 15, 2019
- NC 147 completion – August 1, 2017
- US 70 will undergo significant change over the 5 year period. Several traffic shifts will be required
- NC 147 will have a temporary detour alignment during construction
- Lane closures – allowed on US 70 from 8pm-6am weeknights; 8pm-9am Friday nights; and 8pm – 11am Saturday nights
- Lane closures – allowed on NC 147 8pm-6am weeknights; 8pm-10am Friday and Saturday nights
- DPAC and Durham Bulls Events – no Southbound NC 147 lane closures between 8pm and 10:30 pm
- NC 147 weekend lane closures – 12 weekend lane closures for bridge rehab. Traffic will be reduced to one lane 9pm Friday – 5am Monday
- All roads except US 70 and NC 147; Peak travel times protected; 6am-9am; 4pm-7pm Monday thru Friday
- Temporary Road Closures, US 70, NC 147, NC 98, Rowena Road, Ellis Road, Miami Boulevard, Lynn Road, Pleasant Road, Angier Avenue; only allowed Midnight to 5am; 30 minute maximum timeframe

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- Holloway Street Detour – Weekend 9pm – 5am

For more information on the project citizens can contact NCDOT Resident Engineer's Office as follows: Michelle Gaddy, PE – mhgaddy@ncdot.gov and Phillip Townsend, PE – pjtownsend@ncdot.gov Telephone (919-840-0914). In addition, updates will be provided on the NCDOT website www.ncdot.gov/projects/eastendconnector/

Discussion was held by council on monitoring the DBE participation for the project; and encouraging the department to continue reviewing ways to facilitate bicycle and pedestrian needs for all transportation projects.

The Mayor thanked the NCDOT representative Michelle Gaddy and the staff for the presentation.

SUBJECT: 2014 RECREATION ADVISORY COMMISSION ANNUAL REPORT

The administration recommended that City Council receive the 2014 Recreation Advisory Commission's Annual Report.

Cheryl LeMay Lloyd, Chair of the Recreation Advisory Commission, presented a Powerpoint presentation commenting on the following:

- Recreation Advisory Commission Accomplishments
- Board Membership and Meeting Time
- Mission Statement
- 2014 Master Plan Execution
- Red Maple Park: Community Meeting August 2014
- American Tobacco Trail Bridge
- 2014 NCRPA Distinguished Legislator Award
- Recreation Advisory Commission Community Involvement
- Optimizing Current Facilities and Programs
- DPR Challenges & Opportunities
- Recreation Advisory Commission Statement

Mayor Bell referenced the recent Coffee-With-Council sessions and requests for soccer fields, and pools. The Mayor suggested that a community-wide discussion take place on the need for soccer fields; pools/aquatic facilities. He also stated due to limited resources, it would take a bond referendum to provide additional recreational amenities; and stated buy-in would be needed from the community.

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**SUBJECT: FY2014-15 EMERGENCY SOLUTIONS GRANT FUNDS – DURHAM
CRISIS RESPONSE CENTER SUBRECIPIENT CONTRACT FOR
EMERGENCY SHELTER OPERATIONS AND ESSENTIAL SERVICES**

The Department of Community Development recommended that the City Council authorize the expenditure of \$15,029.00 in Emergency Solutions Grant funds and authorize the City Manager to execute a contract with Durham Crisis Response Center in the amount of \$15,029.00 to provide emergency shelter to households experiencing homelessness who are victims of domestic violence.

Due to a question raised by Council Member Moffitt, Community Development Director Reginald Johnson commented on the approval of the funds; the time it had taken to bring the contract forward; and noted the requirements that were needed before submitting the contract for approval.

Council Member Moffitt thanked Mr. Johnson for taking the time in working with the new contractor helping them to navigate through the process.

**SUBJECT: CONDITIONAL COMMITMENT OF SUBORDINATE FINANCING IN AN
AMOUNT UP TO \$3,800,000.00 FOR THE SECOND PHASE OF RENTAL
DEVELOPMENT OF THE LOFTS AT SOUTHSIDE AND A
CONDITIONAL COMMITMENT TO FUND THE ASSOCIATED SITE
PREPARATION**

The Department of Community Development recommended that City Council authorize the City Manager to issue to Southside Revitalization Phase II LP a conditional commitment of subordinate financing in an amount up to \$3,800,000 for the second phase of rental development of the Lofts at Southside consisting of 85 mixed income units and a conditional commitment to fund the associated site preparation and infrastructure improvements at an amount not to exceed \$3,000,000.00.

At the request of Council Member Schewel, Karl Schlachter, of McCormack-Baron-Salazar, explained and referenced a correction needed in the sources and uses table in the per unit column.

Kevin Drexel commented on the timeline/schedule for the project which would be contingent upon receiving tax credits.

Richard Valzonis, of the Community Development Department, provided an update on Phase I of the project in terms of building completion; project completion; and units occupied.

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SUBJECT: RECLAIMED WATER MASTER PLAN DEVELOPMENT – CONTRACT WITH CDM SMITH, INC.

The Department of Water Management issued a RFQ for Professional Engineering Services to develop a Reclaimed Water Master Plan. The Department received two proposals in response to the RFQ. CDM Smith, Inc. was selected based on the qualifications presented; and a scope of services for the project has been negotiated for the amount of \$307,000.00.

The Department recommended the City Council authorize the City Manager to execute a contract with CDM Smith, Inc. for Professional Services for development of a Reclaimed Water Master Plan at a contract cost of \$307,000.00; establish a contingency fund in the amount of \$31,000.00; and authorize the City Manager to negotiate change orders provided that the cost of all change orders do not exceed \$31,000.00 and the total project cost does not exceed \$338,000.00.

At the request of Council Member Schewel, Water Management Director Don Greeley referenced the process of the reclaimed water master plan. He commented on the treatment of the water; the distribution system; the base infrastructure; and the proposed contract with CDM Smith.

SUBJECT: SR-59 CHEMICAL CONTROL OF SANITARY SEWER ROOT INTRUSION – CONTRACT WITH MUNICIPAL SALES, INC.

The Department of Water Management received two proposals for Contract SR-59, Chemical Control of Sanitary Sewer Root Intrusion. The work consists of utilizing herbicide-based chemicals to kill and control regrowth of tree roots in sewer lines which can cause blockages. Based on review of the proposals, the department recommended that the City enter into a contract with Municipal Sales, Inc. The contract would be for a 2-year period, with the option of renewing for up two 1-year extensions.

The Department of Water Management recommended that the City Council authorize the City Manager to execute a service contract with Municipal Sales, Inc. for SR-59 Chemical Control of Sanitary Sewer Root Intrusion services for a contract cost not to exceed \$94,128.00.

Council Member Moffitt raised a question regarding the pricing for the contract which was addressed by Water Management Director Don Greeley.

SUBJECT: INTER-LOCAL AGREEMENT BETWEEN THE CITY OF DURHAM AND DURHAM COUNTY TO ESTABLISH THE DURHAM WORKFORCE DEVELOPMENT BOARD AND ITS ADMINISTRATIVE ENTITY UNDER THE WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014, EFFECTIVE JULY 1, 2015

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The staff recommended that the Inter-local Consortium Agreement be approved. The agreement would re-establish the following:

- The existence of the Durham Workforce Development Board
- The ability for Durham City Council and the Durham County Board of Commissioners to appoint individuals to the Durham Workforce Development Board
- The City's Office of Economic & Workforce Development as the administrative entity for the Durham Workforce Development Board
- The Mayor as the Chief elected official for the Durham Workforce Development Local Area, which consists of the City of Durham and Durham County – The Durham Workforce Development Board would continue to have planning and local oversight guidance for the Durham Local Area

Esther Coleman, of the OEWD Office, provided background information on the changes relating to the new Workforce Innovation & Opportunity Act effective July 2015; referenced the Durham Workforce Board meeting whereby there was a consensus to have 23 members on the board; stated elected officials are not mandated on the board; 51% percent of the board having to be private sector; and 20% being comprised of community-based organizations.

Kevin Dick, of OEWD, spoke on the funding for the youth and the county contribution; the number of youth being employed; and the youth summit recently held.

The OEWD Office will provide responses to the following questions raised by council members prior to the May 4th council meeting:

- The potential Board structure that would be permissible under WIOA
- The number of applicants for summer jobs completed in NeoGov to date
- The number of jobs and internships under the Mayor's Youth Program compared with the restructured Durham YouthWork Program

SUBJECT: 2015 POLICE SPECIALIZED PROGRAM/UNITS SPECIAL REVENUE FUND

The Durham Police Department through authorization of the City Manager had developed a General Order to address fundraising and receipt of donations to support the operation of seven of the department's specialized programs. Funding received through donations or fundraising will be established as a special revenue fund for financial support of these specialized programs, in an amount not to exceed \$30,000.00.

The Police Department recommended the adoption of the 2015 Police Specialized Programs/Units Special Revenue Fund Project Ordinance, in the amount of \$30,000.00.

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Kisha Ethridge, of the Police Department, briefed the council on how they came up with the \$30,000.00 for specialized programs; and referenced the process for donations.

Council Member Schewel requested a future discussion be held on the structure of the Police Department; the various units and staffing levels.

SETTLING THE AGENDA – MAY 4, 2015 CITY COUNCIL MEETING

City Manager Bonfield announced the following items for the May 4th City Council Meeting agenda: Consent Items 1-8; 10-14; Public Hearing Items 17 thru 23. Also, the City Manager stated that the City Council disposed of Items 9; 15 and 16.

MOTION by Council Member Catotti seconded by Mayor Pro Tempore Cole-McFadden to settle the agenda for the May 4, 2015 City Council meeting as stated by the City Manager was approved at 2:47 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Catotti, Davis, Moffitt and Schewel. Noes: None. Excused Absence: Council Member Brown.

City Clerk Gray announced that David Harris and Tom Miller received 7 votes for reappointment to the Durham Planning Commission.

There being no further business to come before the Council, the meeting was adjourned at 2:48 p.m.

D. Ann Gray, MMC, NCCMC
City Clerk